

Appl. No. 09/996,328
Reply dated June 3, 2005
Reply to Office Action of May 6, 2005

REMARKS

This is in response to the Office Action dated May 6, 2005. Claims 1, 5-9, 19-27, 62-64 and 68-74 are pending in the application. The Examiner indicates that claims 19-27 are allowed. The Examiner indicates that claims 1, 5-9, 62-64 and 68-74 are rejected. Claims 1 and 9 are objected to.

With respect to the claim objections for claims 1 and 9, the Examiner notes that claim 1 recites the limitation "the housing" in line 15. The Examiner notes that claim 9 recites the limitation "the replenishing means" in line 1. Claims 1 and 9 have been amended and are believed proper under 35 U.S.C. §112. Claim 1 has been amended to change "housing" in line 15 to "cabinet", thus providing proper antecedent basis.

Claim 9 has also been amended to state that the inlet opening and a source of water communicating with the inlet opening define a replenishing means that includes a central water inlet and a diffuser ring spaced horizontally away from the water inlet. It is believed that this combination is patentable over the art of record.

Claim 19 has been amended to correct the typographical error, namely adding the word "lines" after the word "flow" in paragraph g.

Claims 20-24 have been amended to provide proper antecedent basis. Claim 19 does not claim a diffuser ring but simply a diffuser, the dependent claims now add the diffuser ring.

Claim 27 has been amended to state that the apparatus further comprises a replenishing means that includes a central water inlet and a diffuser ring spaced horizontally away from the water inlet.

New claim 75 is similar to claim 1 and is believed allowable for the same reasons. In claim 75, the opening for holding a bottle has been replaced with a source of water for adding water to the reservoir. New claim 81 likewise is similar to claim 64 and is believed allowable for the same reasons that claim 64 is allowable. In claim 81, the opening for holding a bottle has been replaced with source of water for adding water to the reservoir.

The Examiner issued a double patenting obviousness rejection, citing applicant's prior

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U.S. Patent 6,532,760 in view of Baker (U.S. 5,295,519). The Examiner indicates that the double patenting rejection may be overcome using a timely filed terminal disclaimer in compliance with 37 C.F.R. 1.321(c). A terminal disclaimer is being filed herewith.

In the response dated February 10, 2004, Ken Davis was added as a co-inventor. Subsequently, the claims have been amended such that all of the claimed subject matter is the sole invention of Ken Davis. Attached are a Statement Regarding Lack of Deceptive Intent, a Declaration of Ken Davis, and a Consent of Assignee to Change of Inventorship.

Applicant respectfully submits that the application is in condition for allowance. Reconsideration and a Notice of Allowance is respectfully requested.

Should the Examiner feel that a telephone conference would advance the prosecution of this application, he is encouraged to contact the undersigned at the telephone number listed below.

Applicant respectfully petitions the Commissioner for any extension of time necessary to render this paper timely.

Enclosed is our Check No. 9354 in the amount of \$65. However, if this amount is insufficient, please charge any additional fees due or credit any overpayment to Deposit Account No. 50-0694.

Respectfully submitted,



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